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10/814,056	03/31/2004	Niniane Wang	24207-10082	5718
62296	7590	09/28/2007	EXAMINER	
GOOGLE / FENWICK SILICON VALLEY CENTER 801 CALIFORNIA ST. MOUNTAIN VIEW, CA 94041				DAYE, CHELCIE L
ART UNIT		PAPER NUMBER		
2161				
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09/28/2007		PAPER		

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

## Office Action Summary

Application No.	10/814,056	Applicant(s)	WANG ET AL.
Examiner	Chelcie Daye	Art Unit	2161

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

1) Responsive to communication(s) filed on 19 July 2007.  
2a) This action is **FINAL**.      2b) This action is non-final.  
3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

4) Claim(s) 1-4,6-13,15-24,26-33 and 35-37 is/are pending in the application.  
4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.  
5) Claim(s) \_\_\_\_\_ is/are allowed.  
6) Claim(s) 1-4,6-13,15-24,26-33, and 35-37 is/are rejected.  
7) Claim(s) \_\_\_\_\_ is/are objected to.  
8) Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

9) The specification is objected to by the Examiner.  
10) The drawing(s) filed on \_\_\_\_\_ is/are: a) accepted or b) objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).  
11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
a) All    b) Some \* c) None of:  
1. Certified copies of the priority documents have been received.  
2. Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.  
3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

1) Notice of References Cited (PTO-892)  
2) Notice of Draftsperson's Patent Drawing Review (PTO-948)  
3) Information Disclosure Statement(s) (PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_

4) Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_  
5) Notice of Informal Patent Application  
6) Other: \_\_\_\_\_

## **DETAILED ACTION**

1. This action is issued in response to applicant's amendment filed February 5, 2007.
2. Claims 1-37 are presented. No claims were added and claims 5,14,25, and 34 are cancelled.
3. Claims 1-4,6-13,15-24,26-33, and 35-37 are pending.
4. Applicant's arguments filed February 5, 2007, have been fully considered but they are not persuasive.

### ***Claim Rejections - 35 USC § 103***

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

6. **Claims 1-4,6,9-11,15-24,26,29-34, and 35-37 are rejected under 35 U.S.C. 103(a) as being unpatentable over Travis (US Patent Application No. 20040215607) filed April 25, 2003, in view of Linden (US Patent Application No. 20020019763) filed March 29, 2001.**

Regarding Claims 1 and 21, Travis discloses a method comprising:

obtaining from an index a search result associated with a current search query ([0004], lines 1-8, Travis), the search result comprising a first article identifier (Fig.2A; [0026], lines 8-10, Travis)<sup>1</sup>;

providing a content display comprising a second article identifier (Fig.2A; [0026], lines 12-14, Travis)<sup>2</sup>. However, while Travis discloses the content display (Fig.1B), Travis is silent with respect to determining whether to update the content display with the search result. On the other hand, Linden discloses determining whether to update the content display with the search result ([0195], Linden). Travis and Linden are analogous art because they are from the same field of endeavor of determining the relationship between items in viewable areas. It would have been obvious to one of ordinary skill in the art at the time of the invention to incorporate Linden's teachings into the Travis system. A skilled artisan would have been motivated to combine as suggested by Linden at [0012], in order to identify items that are related to one another based on the activities of a group of users. As a result, providing personalized item recommendations to users along with related items. Therefore, the combination of Travis in view of Linden, disclose the determining comprising comparing the current search query to a previous search query associated with the content display ([0029] and [0031], Travis); and responsive to a positive determination to update the content display, updating the content display ([0136] and [0195], Linden)<sup>3</sup>.

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<sup>1</sup> Examiner Notes: Fig.2A, item 266 corresponds to the first article identifier.

<sup>2</sup> Examiner Notes: Fig.2A, the second results 260-2, represent the second article identifier.

<sup>3</sup> Examiner Notes: The positive determination is made when the user selects the update page button, in order to notify the system to proceed with the updating of the information.

Regarding Claims 2 and 22, the combination of Travis in view of Linden, disclose the method wherein the first article identifier comprises a first relevancy measure, and the second article identifier comprises a second relevancy measure (Fig.2A; [0026], lines 8-14, Travis)<sup>4</sup>.

Regarding Claims 3 and 23, the combination of Travis in view of Linden, disclose the method wherein determining whether to update the content display comprises comparing the first relevancy measure with the second relevancy measure ([0029], lines 7-12, Travis).

Regarding Claims 4 and 24, the combination of Travis in view of Linden, disclose the method further comprising updating the content display when the first relevancy measure exceeds the second relevancy measure ([0029], Travis).

Regarding Claims 6 and 26, the combination of Travis in view of Linden, disclose the method further comprising updating the content display when the current search query and the previous search query differ by more than a predetermined percentage or amount ([0081], Linden).

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<sup>4</sup> Examiner Notes: Fig.2A, item 268 corresponds to the first relevancy measure and item 274 corresponds to the second relevancy measure.

Regarding Claims 9 and 29, the combination of Travis in view of Linden, disclose the method wherein determining whether to update the content display comprises comparing the first article identifier to the second article identifier ([0029], lines 7-12, Travis).

Regarding Claims 10 and 30, the combination of Travis in view of Linden, disclose the method further comprising updating the content display when the first article identifier and the second article identifier are different ([0029], Travis).

Regarding Claims 11 and 31, the combination of Travis in view of Linden, disclose the method wherein determining whether to update the content display comprises monitoring a mouse pointer associated with the content display ([0025], Travis).

Regarding Claims 15 and 35, the combination of Travis in view of Linden, disclose the method wherein updating the content display comprises replacing the first article identifier with the second article identifier ([0027], Travis).

Regarding Claims 16 and 36, the combination of Travis in view of Linden, disclose the method wherein the first article identifier comprises a first plurality of article identifiers and the second article identifier comprises a second plurality of

article identifiers and further comprising replacing the second plurality of article identifiers with the first plurality of article identifiers (Fig.2A; [0027], Travis).

Regarding Claims 17 and 37, the combination of Travis in view of Linden, disclose the method wherein the first article identifier comprises a first plurality of article identifiers and the second article identifier comprises a second plurality of article identifiers and further comprising merging the first plurality of article identifiers with the second plurality of article identifiers (Fig.2A; [0029], lines 1-4, Travis).

Regarding Claims 18-20, the combination of Travis in view of Linden, disclose the method wherein the index comprises a global index ([0055], Travis) and a local index ([0003], lines 1-9, Travis).

**7. Claims 7-8 and 27-28 are rejected under 35 U.S.C. 103(a) as being unpatentable over Travis (US Patent Application No. 20040215607) filed April 25, 2003, in view of Linden (US Patent Application No. 20020019763) filed March 29, 2001, as applied to claims 1-6,9-11,14-26,29-31, and 34-37 above, and further in view of Barrett (US Patent Application No. 20030135490) filed January 15, 2002.**

Regarding Claims 7 and 27, the combination of Travis in view of Linden, disclose all of the claimed subject matter as stated above. However the

combination of Travis in view of Linden, are silent with respect to determining whether each term in the current search query is also in the previous search query. On the other hand, Barrett discloses determining whether each term in the current search query is also in the previous search query ([0034], lines 7-14, Barrett). Travis, Linden, and Barrett are analogous art because they are from the same field of endeavor of providing relevant results in response to queries within large databases. It would have been obvious to one of ordinary skill in the art at the time of the invention to incorporate Barrett's teachings into the Travis in view of Linden system. A skilled artisan would have been motivated to combine as suggested by Barrett at [0002], lines 12-18, in order to provide a technique which takes into account the age of uses, as well as other factors needed to refine relevant search results for users seeking information. As a result, the determination of whether each term in the current query is in the previous query helps increase efficiency and speed of the system.

Regarding Claims 8 and 28, the combination of Travis in view of Linden, and further in view of Barrett, disclose the method wherein comparing the current search query to the previous search query comprises determining the percentage of terms in the current search query that are also in the previous search query ([0034], lines 14-20, Barrett).

**8. Claims 12-13 and 32-33 are rejected under 35 U.S.C. 103(a) as being unpatentable over Travis (US Patent Application No. 20040215607) filed April 25, 2003, in view of Linden (US Patent Application No. 20020019763) filed March 29, 2001 as applied to claims 1-6,9-11,14-26,29-31, and 34-37 above, and further in view of Petropoulos (US Patent No. 7,047,502) filed September 24, 2001.**

Regarding Claims 12 and 32, the combination of Travis in view of Linden, disclose all of the claimed subject matter as stated above. However, the combination of Travis in view of Linden, are silent with respect to the mouse pointer not active in the content display. On the other hand, Petropoulos discloses to the mouse pointer not active in the content display (column 7, lines 23-41, Petropoulos). Travis, Linden, and Petropoulos are analogous art because they are from the same field of endeavor of webpage searching on the Internet or Intranet. It would have been obvious to one of ordinary skill in the art at the time of the invention to incorporate Petropoulos' teachings into the Travis in view of Linden system. A skilled artisan would have been motivated to combine as suggested by Petropoulos at column 2, lines 54-62, in order to provide preview information, which contains relevant information in the results list. As a result, improving the efficiency of analyzing search results and using the data gathered to refine and improve the search process.

Regarding Claims 13 and 33, the combination of Travis in view of Linden, and further in view of Petropoulos, disclose the method further comprising updating the content display when the mouse pointer is not approaching the content display (column 7, lines 57-62, Petropoulos).

**ALTERNATE REJECTION:** The applicant's claim language is deemed ambiguous, as such the above rejection is based on the interpretation that the current search query and previous search query are able to be different search queries, and dependent upon the results are able to be blended and updated. The rejection below is based on the interpretation that the current search query and previous search query are the same query searches, but at a completely different time interval (i.e., the next day or a week later), wherein more information may be included within the results or either the documents may have been changed to include additional material and are thus represented as such.

***Claim Rejections - 35 USC § 102***

9. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

**10. Claims 1,6,21, and 26 are rejected under 35 U.S.C. 102(e) as being anticipated by Bates (US Patent No. 6801906) filed January 11, 2000.**

Regarding Claims 1 and 21, Bates discloses a method comprising:  
obtaining from an index a search result associated with a current search query, the search result comprising a first article identifier (Figs.11&12; column 12, lines 7-19, Bates);  
providing a content display comprising a second article identifier (Figs.11&12; column 4, lines 26-27, Bates);  
determining whether to update the content display with the search result, the determining comprising comparing the current search query to a previous search query associated with the content display (column 10, lines 15-55 and column 12, lines 10-12, Bates)<sup>5</sup>; and  
responsive to a positive determination to update the content display (column 9, lines 18-28, Bates), updating the content display (column 12, lines 20-48, Bates).

Regarding Claims 6 and 26, Bates discloses the method further comprising updating the content display when the current search query and the previous search query differ by more than a predetermined percentage or amount (column 9, lines 4-6 and column 11, lines 5-30, Bates).

***Claim Rejections - 35 USC § 103***

11. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

12. **Claims 2-4,9-11,15-20,22-24,29-31, and 35-37 are rejected under 35 U.S.C. 103(a) as being unpatentable over Bates (US Patent No. 6801906) filed January 11, 2000, in view of Travis (US Patent Application No. 20040215607) filed April 25, 2003.**

Regarding Claims 2 and 22, Bates discloses all of the claimed subject matter as stated above. However, Bates is silent with respect to the first article identifier comprises a first relevancy measure, and the second article identifier comprises a second relevancy measure. On the other hand, Travis discloses the first article identifier comprises a first relevancy measure, and the second article identifier comprises a second relevancy measure (Fig.2A; [0026], lines 8-14, Travis)<sup>6</sup>. Bates and Travis are analogous art because they are from the same

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<sup>5</sup> Examiner Notes: A research-type search is a search of a particular topic in-depth, in which it is usually necessary to repeat a prior search request in order to obtain the most current information (see columns 1-2, lines 63-67 and 1-5, respectively, Bates)..

<sup>6</sup> Examiner Notes: Fig.2A, item 268 corresponds to the first relevancy measure and item 274 corresponds to the second relevancy measure.

field of endeavor of locating documents in a collection of documents. It would have been obvious to one of ordinary skill in the art at the time of the invention to incorporate Travis' teachings into the Bates system. A skilled artisan would have been motivated to combine as suggested by Travis at paragraph [0006], in order to optimize ranking functions for determining relevance scores for documents. Thereby allowing for a more statistical and machine learning technique for increasing optimization.

Regarding Claims 3 and 23, the combination of Bates in view of Travis, disclose the method wherein determining whether to update the content display comprises comparing the first relevancy measure with the second relevancy measure ([0029], lines 7-12, Travis).

Regarding Claims 4 and 24, the combination of Bates in view of Travis, disclose the method further comprising updating the content display when the first relevancy measure exceeds the second relevancy measure ([0029], Travis).

Regarding Claims 9 and 29, the combination of Bates in view of Travis, disclose the method wherein determining whether to update the content display comprises comparing the first article identifier to the second article identifier ([0029], lines 7-12, Travis).

Regarding Claims 10 and 30, the combination of Bates in view of Travis, disclose the method further comprising updating the content display when the first article identifier and the second article identifier are different ([0029], Travis).

Regarding Claims 11 and 31, the combination of Bates in view of Travis, disclose the method wherein determining whether to update the content display comprises monitoring a mouse pointer associated with the content display ([0025], Travis).

Regarding Claims 15 and 35, the combination of Bates in view of Travis, disclose the method wherein updating the content display comprises replacing the first article identifier with the second article identifier ([0027], Travis).

Regarding Claims 16 and 36, the combination of Bates in view of Travis, disclose the method wherein the first article identifier comprises a first plurality of article identifiers and the second article identifier comprises a second plurality of article identifiers and further comprising replacing the second plurality of article identifiers with the first plurality of article identifiers (Fig.2A; [0027], Travis).

Regarding Claims 17 and 37, the combination of Bates in view of Travis, disclose the method wherein the first article identifier comprises a first plurality of article identifiers and the second article identifier comprises a second plurality of

article identifiers and further comprising merging the first plurality of article identifiers with the second plurality of article identifiers (Fig.2A; [0029], lines 1-4, Travis).

Regarding Claims 18-20, the combination of Bates in view of Travis, disclose the method wherein the index comprises a global index ([0055], Travis) and a local index ([0003], lines 1-9, Travis).

**13. Claims 7-8 and 27-28 are rejected under 35 U.S.C. 103(a) as being unpatentable over Bates (US Patent No. 6801906) filed January 11, 2000, in view of Travis (US Patent Application No. 20040215607) filed April 25, 2003, and further in view of Barrett (US Patent Application No. 20030135490) filed January 15, 2002.**

Regarding Claims 7 and 27, the combination of Bates in view of Travis, disclose all of the claimed subject matter as stated above. However the combination of Bates in view of Travis, are silent with respect to determining whether each term in the current search query is also in the previous search query. On the other hand, Barrett discloses determining whether each term in the current search query is also in the previous search query ([0034], lines 7-14, Barrett). Bates, Travis, and Barrett are analogous art because they are from the same field of endeavor of providing relevant results in response to queries within large databases. It would have been obvious to one of ordinary skill in the art at

the time of the invention to incorporate Barrett's teachings into the Bates and Travis system. A skilled artisan would have been motivated to combine as suggested by Barrett at [0002], lines 12-18, in order to provide a technique which takes into account the age of uses, as well as other factors needed to refine relevant search results for users seeking information. As a result, the determination of whether each term in the current query is in the previous query helps increase efficiency and speed of the system.

Regarding Claims 8 and 28, the combination of Bates in view of Travis, and further in view of Barrett, disclose the method wherein comparing the current search query to the previous search query comprises determining the percentage of terms in the current search query that are also in the previous search query ([0034], lines 14-20, Barrett).

**14. Claims 12-13 and 32-33 are rejected under 35 U.S.C. 103(a) as being unpatentable over Bates (US Patent No. 6801906) filed January 11, 2000, in view of Travis (US Patent Application No. 20040215607) filed April 25, 2003, and further in view of Petropoulos (US Patent No. 7,047,502) filed September 24, 2001.**

Regarding Claims 12 and 32, the combination of Bates in view of Travis, disclose all of the claimed subject matter as stated above. However, the combination of Bates in view of Travis, are silent with respect to the mouse

pointer not active in the content display. On the other hand, Petropoulos discloses to the mouse pointer not active in the content display (column 7, lines 23-41, Petropoulos). Bates, Travis, and Petropoulos are analogous art because they are from the same field of endeavor of webpage searching on the Internet or Intranet. It would have been obvious to one of ordinary skill in the art at the time of the invention to incorporate Petropoulos' teachings into the Bates and Travis system. A skilled artisan would have been motivated to combine as suggested by Petropoulos at column 2, lines 54-62, in order to provide preview information, which contains relevant information in the results list. As a result, improving the efficiency of analyzing search results and using the data gathered to refine and improve the search process.

Regarding Claims 13 and 33, the combination of Bates in view of Travis, and further in view of Petropoulos, disclose the method further comprising updating the content display when the mouse pointer is not approaching the content display (column 7, lines 57-62, Petropoulos).

### ***Response to Arguments***

Applicant's arguments with respect to newly amended claims have been considered but are moot in view of the new ground(s) of rejection.

***Conclusion***

**THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

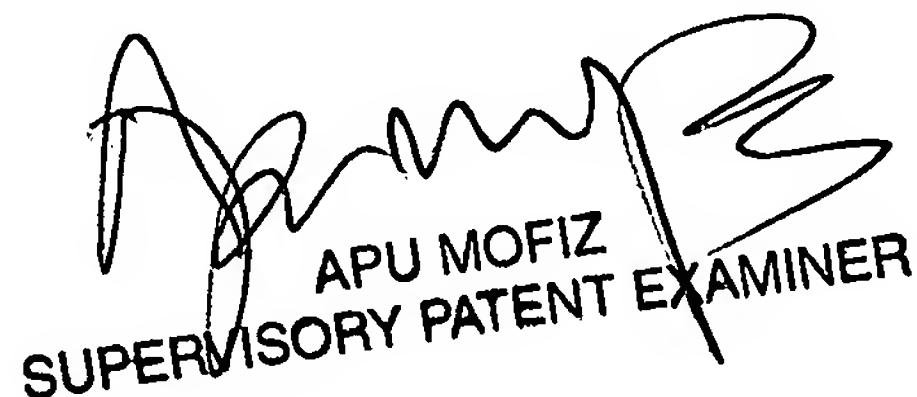
***Points of Contact***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Chelcie Daye whose telephone number is 571-272-3891. The examiner can normally be reached on M-F, 7:00 - 4:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Apu Mofiz can be reached on 571-272-4080. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Chelcie Daye  
Patent Examiner  
Technology Center 2100  
September 25, 2007



APU MOFIZ  
SUPERVISORY PATENT EXAMINER